

### REMARKS

Applicant respectfully requests reconsideration and allowance in view of the following remarks. In the Office Action, claims 1-8, 10-45 and 61-63 are allowed, claims 46, 47, 50 and 51 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,104,222 to Embree ("Embree") and claims 48-49, 52-60 and 64 are objected to as being dependent from rejected claims. In this response, claims 46, 48, 52-54, 58 and 64 are amended and claim 65 is added.

#### ***Allowable Subject Matter And Claim Objections***

Applicant thanks the Examiner for acknowledging the allowable subject matter in the claims. Applicant notes that claims 56 and 57 depend from allowed claims 40 and 41, respectively, and presume that claims 56 and 57 should also be allowed.

As suggested in the Office Action, Applicant has amended claims 48, 52-54, 58 and 64 to include all elements of the claims from which they depend. Additionally, claim 49 depends from claim 48, claim 55 depends from claim 54, claim 59 depends from claim 53 and claim 60 depends from claim 55. Consequently, Applicant respectfully submits that claims 48-49, 52-55, 58-60 and 64 are now allowable.

#### ***Claim Rejections under 35 U.S.C. §102***

Applicant respectfully submits that Embree does not anticipate each and every element of claim 46. Embree discloses a "Flexible Phase Locked Loop System" for generating digital clock signals from a digital input signal and divider values in which phase/frequency detectors (PFD) 120, 152 compare the phase and frequency of the two input signals to generate an error value. Embree, Fig 2 and associated descriptions. In contrast, the present Application teaches, *inter alia*, a variable attack and release processor that includes a complex tracking filter, where the degree and response of the tracking can depend on the magnitude and sign of the input signal change relative to a feedback signal.

However, in order to advance prosecution, Applicant has amended claim 46 to better describe an embodiment of the invention that is more clearly distinguishable from Embree. Amended claim 46 requires that the comparison of the input signal and feedback signal includes a comparison of amplitudes. This feature of the comparison stage is supported in the

specification, including in the paragraph spanning pages 72 and 73. Embree's PFD is not taught as comparing signal amplitudes and Embree does not teach or suggest amplitude comparison anywhere in its description. Nor would such comparison be of use in a phase/frequency detector that operates on digital signals. Therefore, Applicant respectfully submits that claim 46 is allowable over the prior art.

Claims 47, 50 and 51 depend from claim 46 and these claims are allowable for at least the reasons that amended claim 46 is allowable. Therefore, for at least these reasons, the rejections of claims 46-47, and 50-51 should be withdrawn.

***Newly Added Claim***

Claim 65 is added to depend from claim 52. Claim 65 is consistent with previously presented claims and is supported in the description, including in the paragraph spanning pages 71-72. Claim 65 includes limitations that were previously found in previously presented claim set based on claim 46, which claim set has been divided into multiple claim sets responsive to the claim objections in the Office Action.


**CONCLUSION**

All objections and rejections having been addressed, and in view of the foregoing, all remaining claims are believed to be in form for allowance, and such action is hereby solicited. The Examiner is kindly requested to contact the undersigned at the telephone number listed below if any points remain in issue which may be best resolved through a personal or telephone interview.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Date: October 9, 2006

Respectfully submitted,  
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